



September 10, 1999

Rick Breitenbach
CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, CA 95814

RE: CALFED Programmatic EIS/EIR, June 1999 Draft

Dear Mr. Breitenbach:

Thank you for the opportunity to comment on your draft programmatic EIS regarding the CALFED Bay-Delta Program. The Trinity Public Utilities District is a small electric utility system serving 6,500 meters in rural Trinity County. Unlike nearly all of Western's Preference customers who receive CVP power via an allocation process, the District has a First Preference right to some of the energy produced by the TRD (a division of the CVP). We are very much concerned that the actions of CALFED will dilute the benefits associated with this right.

Congress granted the right to Trinity County because, unlike other areas served by Western's preference customers, the citizens of Trinity County have paid a high price for the construction of the TRD. Over 23,000 acres of some of the most valuable private land in the County was taken for the project. The First Preference right granted by Congress was intended to mitigate the TRD's economic impacts to Trinity County. So far, it has fallen over \$100 million short of adequate mitigation. CALFED should not exacerbate this tragedy.

One of the reasons for the tragedy is the simple fact that rural, sparsely populated Trinity County cannot possibly generate the resources necessary to have an equal footing in the myriad of Federal and State public processes, on which the huge special interests are able to spend a lot of time and money. The District simply does not have the staff or the resources to hire a consultant, which is necessary to just read the pounds of written material and attend the days of public hearings that support your effort. Our sincere concerns, listed below, are primarily based on a distant, cursory review of your efforts.

1. CALFED should identify how much its proposals will decrease the mitigation granted to Trinity County by Congress under the TRD ACT of 1955, and include measures to offset those losses to Trinity County.
2. It seems that CALFED is unjustifiably assuming that all of the lost generation and increased electric loads CALFED proposes will be taken from, or given by, the CVP. The CVP for too long now has shouldered all of the power-related consequences associated with a myriad of environmental measures. This is true even though it has never been proven that the CVP is the main cause of the environmental concerns. We do not believe there is any authorization for the CVP to shoulder any, much less all, of the burden of the CALFED decision. CALFED must include, as a condition of any of its

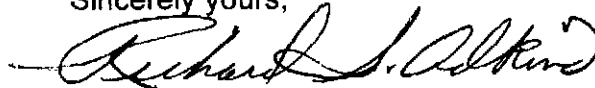
SEP 10 1999 914

decisions that decrease net CVP generation, the construction of those new generating facilities needed to make the CVP generation whole.

3. If CALFED decides to ignore its responsibility to replace the generation it takes, CALFED should, at a minimum, identify the new environmental impacts associated with the power projects that others will be forced to build and identify how to mitigate these impacts. We believe that CALFED is doing the public a great disservice by suggesting that since such impacts are local, CALFED can shrug them off as trivial exceptions. CALFED, if not legally, is at least morally accountable for the myriad of local environmental consequences resulting from the CALFED decisions.
4. We understand that CALFED is also discounting the tremendous economic effect that its decisions will have as a result of raising the average cost of power to California citizens. If this is true, we simply cannot conceive of how CALFED can justify, as irrelevant to the draft EIS, the millions of dollars lost to California's economy.
5. We understand that CALFED is planning on using restoration fund dollars from the CVP Improvement Act of 1992 to fund mitigation measures which are not a responsibility of the CVP. Clearly the CVPIA was passed to meet the environmental responsibility of the CVP. Any mitigation of other activities affecting the Bay-Delta should not be funded by the CVPIA.
6. Finally, we are concerned that CALFED is not adequately considering the implications of changing the Trinity River Flow diversions.

We trust that the final EIS will address the concerns listed above.

Sincerely yours,



Richard Adkins, President
TPUD Board of Directors

RA/bhs

CC: Congressman Wally Herger
Senator Dianne Feinstein
Senator Barbara Boxer
Assemblyman Richard Dickerson
Senator K. Maurice Johannessen
Trinity County Board of Supervisors
Western Area Power Administration